

REMARKS

The Office Action dated August 18, 2008, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

By this Response, claim 1 has been amended to more particularly point out and distinctly claim the subject matter of the present invention. Claims 6-10 have been withdrawn in view of Applicant's Response filed on November 16, 2007, electing to prosecute claims 1-5. No new matter has been added. Support for the above amendments is provided in the Specification, at least, in paragraph [0036]. Accordingly, claims 1-5 are currently pending in the application, of which claim 1 is the only independent claim.

In view of the above amendments and the following remarks, Applicant respectfully requests reconsideration and timely withdrawal of the pending rejections to the claims for the reasons discussed below.

In the Drawings

Applicant respectfully submits a Replacement Sheet for Figure 3 to more clearly illustrate the claimed elements of the present invention. In particular, the Replacement Sheet for Figure 3 further illustrates the temperature control medium passage, as described in the Specification, at least, in paragraph [0036]. No new matter has been

added. Therefore, Applicant respectfully requests consideration of the Replacement Sheet for Figure 3.

Claim Rejections under 35 U.S.C. §103(a)

The Office Action rejected claims 1-5 under 35 U.S.C. §103(a) as allegedly being unpatentable over Miyashita, *et al.* (U.S. Patent No. 5,558,015) (“Miyashita”) in view of Coluzzi (U.S. Patent No. 5,051,083). Applicant respectfully submits that the claims recite subject matter that is neither disclosed nor suggested in the teachings of Miyashita and Coluzzi.

Claim 1, upon which claims 2-5 depend, recites a press-molding apparatus. The press-molding apparatus includes a first mold, and a second mold disposed to face the first mold. The second mold is configured to advance and retreat. The second mold includes a substrate, a heat insulating member disposed on a side of the substrate which side faces the first mold, and a machining member disposed on a side of the heat insulating member which side faces the first mold and including irregularities on a surface facing the first mold. The substrate includes a temperature control medium passage in a predetermined portion, in which medium for temperature control flows. The press-molding apparatus further includes a loading processing section configured to load a to-be-machined member on the first mold, a heating processing section configured to heat the to-be-machined member to a molding temperature higher than a state change point of a material which constitutes the to-be-machined member, and a transfer

processing section configured to press the machining member against the to-be-machined member so as to transfer the irregularities to the to-be-machined member.

Applicant respectfully submits that certain embodiments of the invention provide non-obvious advantages relating to a temperature control medium passage formed in a substrate separately from a heating section to control a temperature of the substrate. As described at least in paragraph [0036] of the Specification, a molding perform, *e.g.*, a member to be machined, can be heated and cooled within a short period of time using both a heater and a temperature control medium.

For example, when a heater is turned on to start heating the molding perform, the temperature control medium stops cooling the molding perform, whereby the molding perform can be heated within a short period of time. Since a stamper, *e.g.*, a machining member, can be heated within a short period of time, transfer of a fine pattern can be performed quickly.

Furthermore, when the heater is turned off after transfer of the fine pattern, the temperature control medium can resume cooling the molding perform, whereby the molding perform can be cooled within a short period of time. As a result, the molding perform can be removed from a mold apparatus quickly and efficiently, reducing the molding cycle time.

Furthermore, because cooling by the temperature control medium has stopped when the heater is turned on to heat the molding perform, the temperature of a second mold can be sufficiently increased, improving the transfer performance.

As will be discussed below, the combination of Miyashita and Coluzzi would fail to disclose or suggest each and every element recited in claims 1-5, and therefore would fail to provide the advantages and the features discussed above.

Miyashita is directed to a hot press used, for example, for producing a thin printed board and a multilayered board, such as liquid crystal glass board bonded by a low-viscosity adhesive, and to a hot press suitable for forming a board requiring uniform bonding pressure (Miyashita, Abstract).

Coluzzi is directed to a plant for manufacturing a mold in the form of a multiple-impression plastic plate for reproducing intaglio printing plates (Coluzzi, Abstract).

Assuming *arguendo* that the teachings of Miyashita could be combined with the teachings of Coluzzi, the combination of Miyashita and Coluzzi would fail to disclose or suggest each and every element recited in claim 1. In particular, the combination of Miyashita and Coluzzi would fail to disclose or suggest, at least, “wherein said substrate comprises a temperature control medium passage in a predetermined portion, in which medium for temperature control flows,” as recited in claim 1 (emphasis added).

Neither Miyashita nor Coluzzi teaches or suggests a temperature control medium passage. In particular, the substrate boards (40) of lower bolster (6) described in Miyashita and the support saddle (5) described in Coluzzi fail to include a temperature control medium passage in a predetermined portion thereof, in which a medium for temperature control flows. Therefore, the combination of Miyashita and Coluzzi would fail to disclose or suggest each and every element recited in claim 1.

Claims 2-5 depend from claim 1. Accordingly, claims 2-5 should be allowable for at least their dependency upon an allowable base claim, and for the specific limitations recited therein.

Therefore, Applicant respectfully requests withdrawal of the rejections of claims 1-5 under 35 U.S.C. §103(a), and respectfully submits that claim 1, and the claims that depend therefrom, are now in condition for allowance.

The Office Action further rejected claims 1-5 under 35 U.S.C. §103(a) as allegedly being unpatentable over Asai (Japanese Publication No. JP 2003-001705) in view of Matsumoto, *et al.* (U.S. Patent No. 6,779,703) (“Matsumoto”). Applicant respectfully submits that the claims recite subject matter that is neither disclosed nor suggested in the teachings of Asai and Matsumoto.

As will be discussed below, the combination of Asai and Matsumoto would fail to disclose or suggest each and every element recited in claims 1-5, and therefore would fail to provide the advantages and the features previously discussed above.

Asai is directed to the fabrication of a resin board using a press forming device that includes a La Stampa to form optical goods (Asai, Abstract).

Matsumoto is directed to a method and device for pressing a workpiece (Matsumoto, Abstract).

Assuming *arguendo* that the teachings of Asai could be combined with the teachings of Matsumoto, the combination of Asai and Matsumoto would fail to disclose

or suggest each and every element recited in claim 1. In particular, the combination of Asai and Matsumoto would fail to disclose or suggest, at least, “wherein said substrate comprises a temperature control medium passage in a predetermined portion, in which medium for temperature control flows,” as recited in claim 1 (emphasis added).

Neither Asai nor Matsumoto teaches or suggests a temperature control medium passage. In particular, the second mold (3) or (4) described in Asai, and the moving table (114) described in Matsumoto fail to include a temperature control medium passage in a predetermined portion thereof, in which a medium for temperature control flows. Therefore, the combination of Asai and Matsumoto would fail to disclose or suggest each and every element recited in claim 1.

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Therefore, Applicant respectfully requests withdrawal of the rejections of claims 1-5 under 35 U.S.C. §103(a), and respectfully submits that claim 1, and the claims that depend therefrom, are now in condition for allowance.

The Office Action rejected claims 1-5 under 35 U.S.C. §103(a) as being allegedly unpatentable over Matsumoto in view of Asai. Applicant respectfully submits that the claims recite subject matter that is neither disclosed nor suggested in the teachings of Matsumoto and Asai.

Asai and Matsumoto were discussed above. As previously noted above, neither the teachings of Asai nor the teachings of Matsumoto teach or suggest a temperature control medium passage. In particular, the second mold (3) or (4) described in Asai, and the moving table (114) described in Matsumoto fail to include a temperature control medium passage in a predetermined portion thereof, in which a medium for temperature control flows. Therefore, the combination of Asai and Matsumoto would fail to disclose or suggest each and every element recited in claim 1.

Claims 2-5 depend from claim 1. Accordingly, claims 2-5 should be allowable for at least their dependency upon an allowable base claim, and for the specific limitations recited therein.

Therefore, Applicant respectfully requests withdrawal of the rejections of claims 1-5 under 35 U.S.C. §103(a), and respectfully submits that claim 1, and the claims that depend therefrom, are now in condition for allowance.

CONCLUSION

In conclusion, Applicant respectfully submits that the teachings of Miyashita, Coluzzi, Asai, and Matsumoto, whether taken individually or in combination, fail to disclose or suggest each and every element recited in claims 1-5. The distinctions previously noted are more than sufficient to render the claimed invention non-obvious. It

is therefore respectfully requested that all of claims 1-5 be allowed, and this present application be passed to issuance.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, Applicant's undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Encl: Replacement Sheet: Figure 3
Petition for Extension of Time
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